



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

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OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

May 27, 2011

Ms. Shane Jeffries  
District Ranger  
Bend/Fort Rock Ranger District  
1230 NE 3<sup>rd</sup> St., Suite A-262  
Bend, Oregon 97702

Re: Kapka Butte Sno-park Project Draft Environmental Impact Statement  
(CEQ Number 20110108; Region 10 Project Number 11-014-AFS)

Dear Ms. Jeffries:

The U.S. Environmental Protection Agency has reviewed the Kapka Butte Sno-park Draft Environmental Impact Statement (DEIS). We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. We appreciate this opportunity to participate.

The Forest Service proposes to provide a new high elevation and safe sno-park to enhance winter recreation opportunities, including those for Nordic skiers with companion dogs. The proposed sno-park would be located at Kapka Butte 19 miles west of Bend, OR at the junction of Forest Roads 45 and 46. The Kapka Butte sno-park site would be at 5,900 ft elevation and would occupy approximately 7.5 acres. The Proposed Action, Alternative 2, would provide paved parking for about 70 vehicles towing trailers and 40 smaller automobiles. It would have three single vault toilets and provide new access trails (0.2 mile groomed snowmobile trail and 0.6 mile un-groomed Nordic ski trail) to existing trails for snowmobiles and Nordic skiing. It would also establish two new trails: a 0.8 mile ungroomed snowshoe trail to Kapka Butte, and a 7.2 mile system of groomed<sup>1</sup> Nordic ski trails open to dogs. One mile of this system is shared-use on existing snowmobile Trail #40.

Alternative 3 would construct a smaller parking area at Kapka Butte with two single vault toilets and 50 large RV/trailer slots also suitable for smaller vehicles. This sno-park would access existing snowmobile and Nordic trail systems, but the new ungroomed snowshoe trail to Kapka Butte and groomed Nordic ski trail open to dogs would not be established. Alternative 3 would also respond to user conflicts between motorized and non-motorized users at Dutchman Flat. At Dutchman Flat, 3.6 miles from Kapka Butte, the snowmobile play-area would be relocated to the north end of the flat, and access Trail #7 would be relocated to the west side of the flat to create a larger non-motorized area for families and beginner skiers and snowshoers. Alternative 4 would combine Alternatives 2 and 3 to provide all the elements they propose -- ample parking and enhanced winter recreation while addressing social conflict at Dutchman Flat.

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<sup>1</sup> Trails could be groomed by a partner under agreement.

The Forest Service has done considerable work to gather public comment and perspectives regarding winter recreation needs on the Forest. The 2009 Winter Recreation Sustainability Analysis, the 2008 Trail Users Group Values Workshop, and the Winter Recreation User Interview all contribute to development of the proposed action. We agree that expanding recreation facilities on the Forest poses dilemmas for resource managers, and doing so comes at a cost to the natural environment, the values associated with it, and the services it provides.

While any of the action alternatives could be a reasonable response to the stated needs, Alternative 3 appears to be the environmentally preferred alternative because it would

- provide new parking for motorized and non-motorized users with a smaller footprint;
- address conflict at Dutchman Flat;
- use the existing trail system that is open to dogs, thereby avoiding new predation and harassment impacts to wildlife; and
- result in a smaller increase in persons at one time (PAOT) on Peak Use Days (130 vs. 286 for Alternatives 2 and 4), and a smaller increase in total use within the subwatershed (24% vs. 54% for Alternatives 2 and 4).

These projections could equate to fewer snowmobile emissions and potentially fewer impacts to wildlife. Responding with a more modest increase in recreation facilities also seems appropriate given the information provided in the DEIS Economic Analysis on trends in snowmobile registration (p. 196).

Based on the information provided in the DEIS, we have rated the document as EC-2, Environmental Concerns, Insufficient Information. An explanation of this rating is enclosed with this letter. Our main concerns with the proposed project, which are discussed below, pertain to impacts on localized air quality within and near sno-parks, heavy snowmobile use areas and trails, and to potential wildlife impacts.

### **Air Quality**

There may be cause for concern regarding air pollutant emissions that would result from accommodating and stimulating increased use of snowmobiles. Under the action alternatives, the total number of snowmobiles in the Cascade Lakes Highway area may increase by 130-180 snowmobiles (p. viii). The DEIS (p. 190) states that "... there may be some increased temporary localized air quality impairment from vehicle emissions in areas where there is concentrated snowmobile use including sno-parks, snowmobile destination areas, and on high use snowmobile trails." This effect would be most evident in sno-parks and would be highest in Kapka Sno-park on high use days. The effects "...would be comparable to the effect at Wanoga Sno-park." However, the DEIS does not characterize the conditions at Wanoga Sno-park. If, as is referred to in the 2009 Winter Recreation Sustainability Analysis, there is a haze present at the sno-park(s), and it is a recurring event, there should be a determination as to whether or not those conditions present a health hazard, and whether the air quality conditions would result in a substantially diminished recreational experience, particularly for those seeking non-motorized recreation.

For example, at the Dutchman Sno-park, there is an area designated for Nordic skiing and snowshoeing for children and families adjacent to the sno-park and to the snowmobile play area. The EIS should characterize the air quality within the non-motorized play areas and the extent to



which it is influenced by the adjacent sno-park and snowmobile play area. It would be helpful to include the motorized and non-motorized play areas in the Winter Recreation Monitoring Plan (referred to in the 2009 Winter Recreation Sustainability Analysis, p. 18). The 2009 Winter Recreation Sustainability Analysis uses number of days exhaust haze is present at sno-parks as an air quality indicator. It also sets a standard where less than 10% of days between December 1 and March 31 would have exhaust haze present. However, there is no indication of how the Forest Service would achieve this standard or of what the consequences would be if it is not met.

#### *Recommendations:*

- Monitor and evaluate the air quality at Dutchman Flat Sno-park and winter recreation play areas, as well as other high snowmobile use areas on the Forest. Assess whether or not air quality conditions could pose a health hazard, particularly for children, the elderly, and people with respiratory ailments. Survey visitors regarding the degree to which poor air quality affects their recreation experience.
- Characterize the air quality conditions at Wanoga Snow Park to inform the comparison with likely future conditions at the proposed Kapka Butte Sno-park.
- Consider measures to mitigate air quality impacts, such as, posting anti-idling signs in the sno-parks, and ensuring adequate separation between motorized and non-motorized recreationists. If air impacts warrant it, stronger measures could include requiring and issuing a limited number of snowmobile use permits per day, and similar strategies.
- Include the above information in the Final EIS and factor it into decision making.

#### **Wildlife**

The DEIS does a good job of identifying the potential impacts to wildlife that would result from providing for more use and presence of recreationists on the landscape. These include:

- habitat loss and fragmentation;
- noise;
- new use in areas not previously used by recreationists;
- increased winter use predominantly by snowmobiles;
- potential increased summer use or year round use/pressure from the density of roads and trails;
- pathways for predators and nest parasitism;
- dog/wildlife interactions, which would increase predation potential and harassment;
- disturbance harassment especially during the stressful, vulnerable winter period;
- human avoidance and subsequent displacement from nesting, denning, foraging, resting areas;
- facilitating entry of other carnivores such as, coyotes, bobcats, and mountain lions on snow-packed trails that could increase competition for prey species and predation pressure;
- compaction of snow due to grooming or from snowmobile use and adverse effects on the subnivean habitat of prey species.

Because the new sno-park and increased recreation activities would occur at high elevation areas, we are particularly concerned about the effects of these impacts on California wolverine



(*Proposed Federal Candidate, Regional Forester's Sensitive, Management Indicator Species, S1- Critically Imperiled*), as well as other mid-size carnivores such as Pacific fisher (*Federal Candidate, Regional Forester's Sensitive, S2-Imperiled*), and American Marten (*Management Indicator Species, S3 Vulnerable*). The DEIS concludes for these species that there would be increased human presence and disturbance (24-54% depending on the alternative selected) during the winter within the project area for the long-term, and that the overall direct, indirect, and cumulative effects would result in a small negative trend in habitat and disturbance to these species that would be insignificant at the scale of the Forest. However, it is the incremental expansion of these impacts in time and space concurrent with the growth in human population and demand for recreation that results in the eventual demise of these and other species.

The DEIS states that the project is designed to comply with the Joint Aquatic and Terrestrial Programmatic Biological Assessment, FY 10-13 (Programmatic BA), but does not list the Project Design Criteria (PDC) of the BA. As per the recommendations of May, et al, 2006, "Consolidation of wolverine populations at a viable level can only be maintained when infrastructural development of wilderness areas is minimized, and placement of infrastructure and human activities are carefully zoned." Siting the sno-park within the Cascade Lakes area appears responsive to the need for zonation, but it is unclear to what extent the DEIS responds to other potential PDCs of the Programmatic BA. The only proposed mitigation in the DEIS for impacts to wildlife (p. 38) pertains to bird species and the monitoring of new trails to determine whether or not trees felled to deter summer use are being removed and if summer use is occurring.

Because the mid-size carnivores identified for analysis in this EIS (wolverine, fisher, marten) have biological traits that make them vulnerable to human uses (low population densities, low reproductive rates, large home ranges, elusive behaviors, avoidance of humans) we think that more mitigation is feasible and should be included to offset impacts to these species. Mitigation for these species would also likely benefit other species, such as blue grouse and northern spotted owl (p. xii, 138, 140-141). Continued forfeiture of suitable habitat without offsetting mitigation, particularly with species' need to move and adapt to climate change stressors, may not provide for the continued viability of these species.

*Recommendation:*

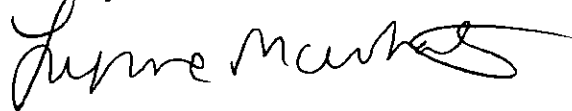
- In the Final EIS, identify and commit to mitigation for affected mid-size carnivore species, such as wolverine, fisher, and marten. To offset new areas opened to recreationists, consider closing or reducing access to other areas that would be useful habitat for these species. For example, select forest roads or low use trails to close/obliterate; re-locate snowmobile trails further away from wilderness boundaries; close/reduce other high elevation human access points; and/or gather information and conduct studies to learn more about the historic, present, and likely future habitats, home ranges, and climate adaptation needs for these species on the Forest.

## Other comments

It is acknowledged that human recreation activities will continue to grow and expand as the population increases. As stated in the DEIS (p. 138) human use within and near northern spotted owl and other species' habitat is becoming year round by winter use and summer use. Recreation planning for the Kapka Butte Sno-park and other facilities would benefit from having a comprehensive forest-wide winter travel management plan that is designed to ensure habitat protection for sensitive species. Proposed actions are also based upon compliance with a 1990 Forest Plan, which is in need of update. Expansion of human activities and impacts must be done carefully and conservatively with adequate monitoring and adaptive management to ensure species continued viability.

Thank you for the opportunity to comment on the Kapka Butte EIS. If you have questions or would like to discuss these comments, please contact Elaine Somers of my staff at (206)553-2966 or at [somers.elaine@epa.gov](mailto:somers.elaine@epa.gov).

Sincerely,



Christine B. Reichgott, Unit Manager  
Environmental Review and Sediment Management Unit

Enclosure